

STAND. COM. REP. NO. **2516**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2589
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water and Land, to which was referred S.B. No. 2589 entitled:

"A BILL FOR AN ACT RELATING TO BURIAL SITES,"

beg leave to report as follows:

The purpose and intent of this measure is to increase the penalty for the desecration of burial sites from a misdemeanor to a felony.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Society for Hawaiian Archaeology, one member of the Maui Lanai Islands Burial Council, and nine individuals.

Your Committees received testimony in opposition to this measure from Pacific Rim Land, Inc.

Your Committees received comments on this measure from one individual.

Your Committees find that it is necessary for the law to reflect the seriousness of the act of disturbing human remains from burial sites without consent. This measure will increase the penalty for the desecration of burial sites from a misdemeanor to a felony to deter potential violators from harming burial sites.



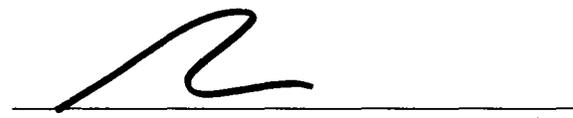
Your Committees have amended this measure by:

- (1) Specifying that the first offense for desecrating a burial site without permission is a misdemeanor for which a fine of not more than \$10,000 shall be imposed;
- (2) Specifying that any subsequent offense for desecrating a burial without permission is a felony for which a fine not to exceed \$25,000 per offense shall be imposed;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2589, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2589, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Water and Land,


LORRAINE R. INOUÉ Chair


MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SB 2589	Committee Referral: HWN/WTL, JPC	Date: 02/13/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	X			
FEVELLA, Kurt (VC)	X			
IHARA, Jr., Les				X
KEOHOKALOLE, Jarrett	X			
RICHARDS, III, Herbert M. "Tim"				X
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**

The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 2589	Committee Referral: HWN/WTL, JDC	Date: 02/13/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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